

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DENNIS HARLAN, et al.,

Plaintiffs,

v.

Case No. 08-13610-DT

ESTATE OF DON HERBERT, et al.,

Defendants.

ORDER APPOINTING FACILITATIVE MEDIATOR

In accordance with the November 14, 2008 "Stipulation for Order on Facilitation,"

IT IS ORDERED that the Honorable Glen Ashworth of JAMS, a national private litigation alternative firm, is appointed as facilitative mediator in this matter, with the parties to bear the costs and expenses of such mediator in equal shares. The parties are directed to take the necessary steps by **November 21, 2008**, to schedule a facilitation. Judge Ashworth is located at the Dallas, Texas offices of JAMS. The court anticipates that such facilitation should occur within the month of December.

Plaintiff's counsel is DIRECTED to contact the court's case manager by **5:00 p.m. on November 21, 2008**, to inform her of the date and time that the facilitation will occur. Plaintiff's counsel shall also contact the court's case manager the day after the scheduled facilitation to inform the court as to the status of the case.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 17, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 17, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522